

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## BIOCHANNEL ASSAY FOR HYBRIDIZATION WITH BIOMATERIAL

the specification of which is attached hereto unless the following space is checked:

☐ was filed on \_\_\_\_\_ as United States Application Serial Number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.		
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.			
2.			

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Denis A. Berntsen	Reg. No. 26707	Anthoula Pomrening (agent)	Reg. No. 38805
John J. McDonnell	Reg. No. 26949	George I. Lee	Reg. No. 39269
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Paul H. Berghoff	Reg. No. 30243	Sean M. Sullivan	Reg. No. 40191
Grantland G. Drutchas	Reg. No. 32565	Amir N. Penn	Reg. No. 40767
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David M. Frischkorn	Reg. No. 32833	Joshua R. Rich	Reg. No. 41269
James C. Gumina	Reg. No. 32898	Thomas E. Wettermann	Reg. No. 41523
A. Blair Hughes	Reg. No. 32901	Vernon W. Francissen	Reg. No. 41762
Thomas A. Fairhall	Reg. No. 34591	Robert J. Irvine	Reg. No. 41865
Emily Miao	Reg. No. 35285	Richard A. Machonkin	Reg. No. 41962
Kevin E. Noonan	Reg. No. 35303	David S. Harper	Reg. No. 42636
Leif R. Sigmond, Jr.	Reg. No. 35680	Stephen Lesavich	Reg. No. 43749
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Christopher M. Cavan	Reg. No. 36475	Mark Chael (agent)	Reg. No. 44601
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Address all telephone calls to John J. McDonnell at (312) 913-2110.

Address all correspondence to MCDONNELL BOEHNEN HULBERT & BERGHOFF, 300 South Wacker Drive, Chicago, Illinois 60606 USA.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Chan-Long Shieh

Inventor's signature: Chan-Long Shieh  
Residence: 6739 East Bar Z Lane, Paradise Valley, AZ  
Citizenship: USA  
Post Office Address: 6739 East Bar Z Lane, Paradise Valley, AZ


Date: 11/3/99

Full name of second joint inventor: Barbara Foley

Inventor's signature: Barbara Foley  
Residence: 14842 South Foxtail Lane, Phoenix, AZ  
Citizenship: USA  
Post Office Address: 14842 South Foxtail Lane, Phoenix, AZ


Date: 11/3/99

Full name of third joint inventor: Huinan Yu

Inventor's signature:   
Residence: 5760 W. Park Avenue, Chandler, AZ  
Citizenship: Peoples Republic of China  
Post Office Address: 5760 W. Park Avenue, Chandler, AZ

Date: 11/3/99

Full name of fourth joint inventor: Vi-En Choong

Inventor's signature:   
Residence: 3380 W. Genoa Way, Chandler, AZ  
Citizenship: Malaysia  
Post Office Address: 3380 W. Genoa Way, Chandler, AZ

Date: 11/3/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MOTOROLA, INC.  
(Assignee)

Inventor: SHIEH, et al.

Serial No. 09/438,600

Filed: November 12, ~~2000~~ 1999

For: BIOCHANNEL ASSAY FOR  
HYBRIDIZATION WITH BIOMATERIAL

Examiner: M. PHAM

Group Art Unit: 1641

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as First Class Mail in an envelope  
addressed to: Assistant Commissioner for Patents, Washington,  
DC 20231 on 11/22/01

Signed: 

REVOCATION OF POWER OF ATTORNEY BY ASSIGNEE AND  
GRANT OF NEW POWER OF ATTORNEY

Assistant Commissioner  
for Patents  
Washington, DC 20231

Sir:


MOTOROLA, INC., Assignee of the above identified application, hereby revokes all previous powers of attorney. The undersigned further hereby appoints the following attorneys as attorneys in this application with full power to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; provided that if any one of said attorneys ceases being

affiliated with the law firm of FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please send all future correspondence as follows:

Robin M. Silva, Esq.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center, Suite 3400  
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MOTOROLA, INC.

By:   
Steven G. Parmelee  
Title: Assistant Secretary

Date: Jan 10, 2001

Attorney Docket No. A-70197/RMS/BTC  
1039118

1002227 121901

## ASSIGNMENT

Case No.: 99,723  
Inventors: Shieh, et al  
Date of Execution  
of Application:

Serial No.:

Filing Date:

In consideration of One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt and sufficiency whereof are hereby acknowledged, the undersigned hereby assign to:

Motorola, Inc., 1303 East Algonquin Road, Schaumburg, IL 60196

its successors and assigns, the entire right, title and interest in the invention or improvements of the undersigned disclosed in an application for Letters Patent of the United States, entitled:

### **BIOCHANNEL ASSAY FOR HYBRIDIZATION WITH BIOMATERIAL**

and identified as:

Case No. 99,723

in the offices of McDONNELL BOEHNNEN HULBERT & BERGHOFF and in said application and any and all other applications, both United States and foreign, which the undersigned may file, either solely or jointly with others, on said invention or improvements, and in any and all Letters Patent of the United States and foreign countries, which may be obtained on any of said applications, and in any reissue or extension of such patents, and further assigns to said assignee the priority right provided by the International Convention.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said assignee.

The undersigned hereby authorize and request the attorneys of record in said application to insert in this assignment the filing date and serial number of said application when officially known, and the date of execution of the application.

The undersigned warrant themselves to be the owners of the entire right, title and interest in said invention or improvements and to have the right to make this assignment, and further warrant that there are no outstanding prior assignments, licenses, or other encumbrances on the interest herein assigned.

For said considerations the undersigned hereby agree, upon the request and at the expense of said assignee, its successors and assigns, to execute any and all divisional, continuation and substitute applications for said invention or improvements, and any necessary oath, affidavit or declaration relating thereto, and any application for the reissue or extension of any Letters Patent that may be granted upon said application and any and all applications and other documents for Letters Patent in foreign countries on said invention or improvements, that said assignee, its successors or assigns may deem necessary or expedient, and for the said considerations the undersigned authorize said assignee to apply for patents for said invention or improvements in its own name in such countries where such procedure is proper and further agree, upon the request of said assignee, its successors and assigns, to cooperate to the best of the ability of the undersigned with said assignee, its successors and assigns, in any proceedings or transactions involving such applications or patents, including the preparation and execution of preliminary statements, giving and producing evidence, and performing any and all other acts necessary to obtain, maintain and enforce said Letters Patent, both United States and foreign, and vest all rights therein hereby conveyed in the assignee, its successors and assigns, whereby said Letters Patent will be held and enjoyed by the said assignee, its successors and assigns, to the full end of the term for which said Letters Patent will be granted,

as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

WITNESS my hand and seal this 3<sup>rd</sup> day of NOVEMBER, 1999.

Chan Long Shieh  
Chan-Long Shieh

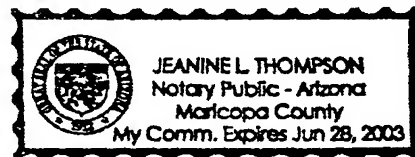
State of Arizona

County of Maricopa

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of

NOVEMBER, 1999 by CHAN-LONG SHIEH

Jeanine L. Thompson  
NOTARY PUBLIC



Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

WITNESS my hand and seal this 20<sup>th</sup> day of November, 1999.

Huinan Yu

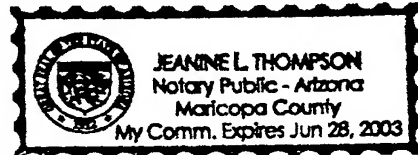
State of Arizona

County of Maricopa

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of

November, 1999 by HUINAN YU

Jeanine L. Thompson  
NOTARY PUBLIC





Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

WITNESS my hand and seal this 30<sup>th</sup> day of NOVEMBER, 1999.

Vi-En Choong  
Vi-En Choong

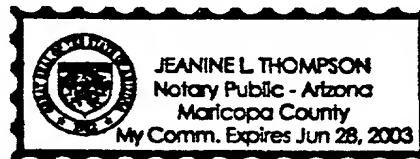
State of California

County of Yuba

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of

NOVEMBER, 1999, by VI-EN CHOONG

Jeanine L. Thompson  
NOTARY PUBLIC



Letters Patent will be granted, as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made.

WITNESS my hand and seal this 5<sup>th</sup> day of November, 1999.

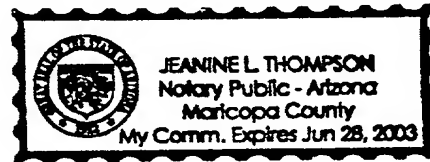
Barbara M. Foley  
Barbara Foley

State of Arizona

County of Maricopa

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of  
November, 1999 by BARBARA M. FOLEY

Jeanine L. Thompson  
NOTARY PUBLIC



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